

CAUSE NO. _____

GEORGE GANDAR

IN THE DISTRICT COURT OF

V.

HARRIS COUNTY, TEXAS

WERNER ENTERPRISES, INC.

JUDICIAL DISTRICT _____

PLAINTIFF'S ORIGINAL PETITION

TO THE HONORABLE COURT:

COMES NOW, GEORGE GANDAR, Plaintiff, complaining of WERNER ENTERPRISES, INC., Defendant, and at the time of trial will show the following:

I. Discovery

Plaintiffs intend to conduct discovery under Level 2 of Rule 190.3, Texas Rules of Civil Procedure.

II. Parties

Plaintiff, George Gandar, is an individual residing in Houston, Harris County, Texas. The last three digits of his Social Security number are 159, and the last three digits of his Texas drivers license are 529.

Defendant, Werner Enterprises, Inc., is a corporation organized under the laws of Nebraska. Defendant can be served with process herein by serving copies of the petition and citation on its registered agent for service of process in Texas, Corporate Creations Network, Inc., 5444 Westheimer #1000, Houston, Texas 77056.

III. Venue

Venue is appropriate in Harris County, Texas, because it is the county in which the incident made the basis of this suit occurred.

IV. Jurisdiction

This court has jurisdiction over the subject matter of this lawsuit because the amount in controversy is within the jurisdictional limits of this court.



V. Statement of Facts

This lawsuit arises from a motor-vehicle wreck that occurred on or about February 19, 2019, on I-10 in Baytown, Harris County, Texas. Plaintiff and Charso Bates were both operating 18-wheelers westbound on I-10 in heavy traffic. Plaintiff slowed and stopped due to the traffic. Charso Bates, who was traveling directly behind Plaintiff, was following too closely and not paying adequate attention, and rear-ended Plaintiff's vehicle.

VI. Cause of Action

The injuries and damages sustained by Plaintiff, which are made the basis of this suit, were proximately caused by the negligent acts of omission and commission of Defendant. At all times material herein, Charso Bates was acting within the course and scope of her employment by or agency for Defendant, Werner Enterprises, Inc., which is responsible for her conduct under the theories of *respondeat superior* or agency.

VII. Damages

As a result of this incident, Plaintiff sustained serious injuries that required medical treatment, and in all likelihood will require additional medical treatment in the future. Plaintiff seeks to recover all medical expenses incurred as a proximate result of this incident for necessary medical treatment rendered, as well as for all such medical expenses incurred in the future.

Furthermore, Plaintiff seeks to recover for the pain and suffering, mental anguish, physical impairment, and physical disfigurement sustained in the past, and which he will likely suffer in the future.

Additionally, Plaintiff was working and earning wages at the time of the occurrence. Plaintiff seeks compensation for loss of earnings and earning capacity in the past, and which he will likely sustain in the future.

Accordingly, Plaintiff is entitled to and herein now sues for a just and reasonable sum that exceeds the minimum jurisdictional limits of this Court. Pursuant to the requirements of Rule 47, Tex. R. Civ. Proc., Plaintiff affirmatively pleads for monetary relief over \$1,000,000.

VIII. Interest

Plaintiff seeks prejudgment and post-judgment interest as permitted by law.

PRAYER

Plaintiff prays that defendant be cited to appear and answer herein, and that upon final trial of this matter he have judgment against defendant, for actual damages, prejudgment and post-judgment interest, costs of court and all other remedies, both at law and at equity, to which this court finds him to be justly entitled.

Respectfully submitted,

TERRY BRYANT PLLC

By: _____



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ATTORNEYS FOR PLAINTIFF



I, Marilyn Burgess, District Clerk of Harris County, Texas certify that this is a true and correct copy of the original record filed and or recorded in my office, electronically or hard copy, as it appears on this date.
Witness my official hand and seal of office
this January 28, 2021

Certified Document Number: 93740543 Total Pages: 3

Marilyn Burgess, DISTRICT CLERK
HARRIS COUNTY, TEXAS

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